

Message Text

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ORIGIN L-02

INFO OCT-01 EUR-12 NEA-09 IO-10 ISO-00 CIAE-00 DODE-00

PM-03 H-02 INR-07 NSAE-00 NSC-05 PA-01 PRS-01 SP-02

SS-15 USIA-06 ACDA-05 /081 R

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FM SECSTATE WASHDC

TO AMEMBASSY ANKARA PRIORITY

AMEMBASSY KUWAIT PRIORITY

USMISSION GENEVA PRIORITY

AMEMBASSY TEHRAN PRIORITY

INFO USMISSION USUN NY PRIORITY

C O N F I D E N T I A L STATE 074981

E.O. 11652:GDS

TAGS:SHUM, PFOR, IZ, IR, ICRC

SUBJECT:HUMAN RIGHTS REPORTING - KURDISH QUESTION

KUWAIT POUCH BAGHDAD FOR ACTION

REF: (A) STATE A-1045, (B) BAGHDAD 341 AND PRIOR, (C)

ANKARA AIRGRAM A-36, (HUMAN RIGHTS) 3/10/75 (NOTAL), (D)

ANKARA 3035 (NOTAL), (E) TEHRAN 2168 (NOTAL), (F) GENEVA

A-79, (G) USUN 987

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1. DEPARTMENT APPRECIATES POSTS' REPORTING (REFS (B) - (G),

AND FEELS NEED FOR CONTINUING SCRUTINY AND UPDATED FACTUAL COVERAGE OF TREATMENT ACCORDED KURDS BY GOVERNMENTS OF IRAQ, IRAN AND TURKEY AND ANY DEVELOPMENTS RE INTERNATIONAL COMMITTEE OF THE RED CROSS OR OTHER INTERNATIONAL HUMANITARIAN HELP, IN LIGHT DEPARTMENT'S INTEREST AND THAT EVIDENCED BY CONGRESS AND PUBLIC, AS WELL AS SERIOUSNESS OF ALLEGATIONS BY KURDISTAN DEMOCRATIC PARTY.(EXHIBITS I - III, PARA 6 BELOW).

2. DEPARTMENT WILL INFORMALLY AND IN LOW KEY ENCOURAGE NEWSPAPER CORRESPONDENTS, AS OPPORTUNITY PRESENTS, TO VISIT KURDISTAN VIA BAGHDAD AS USINT BAGHDAD RECOMMENDS (REF B).

3. FOLLOWING PROVIDE USEFUL FRAME OF REFERENCE FOR SCRUTINY AND REPORTS: (A) ARTICLE 3 OF GENEVA CONVENTIONS FOR

THE PROTECTION OF WAR VICTIMS (1949) (TO WHICH ALL ABOVE THREE STATES ARE PARTIES) (REF A) LAYS DOWN BASIC HUMANITARIAN RULES RESPECTING TREATMENT THOSE WHO ARE NON-COMBATANTS OR HAVE LAID DOWN ARMS IN INTERNAL CONFLICT. AMONG PROHIBITED ACTS ARE MURDER, TAKING HOSTAGES, MUTILATION, INHUMAN TREATMENT, GENOCIDE, EXECUTION OR SENTENCING WITHOUT A PROPER TRIAL AND NEGLECT OF THE WOUNDED AND SICK. ARTICLE 3 ALSO PROVIDES QUOTE AN IMPARTIAL HUMANITARIAN BODY, SUCH AS THE INTERNATIONAL COMMITTEE OF THE RED CROSS, MAY OFFER ITS SERVICES TO THE PARTIES TO THE CONFLICT UNQUOTE.

(B) THE UN CHARTER (ARTICLES 55 AND 56) REQUIRES MEMBERS TO PROMOTE RESPECT FOR HUMAN RIGHTS AND UNIVERSAL DECLARATION OF HUMAN RIGHTS (REF A) INCLUDES MANY RELEVANT STANDARDS FOR ALL CONCERNED, ESPECIALLY ARTICLES 3,5,7,8,9,10, 11, 12,13,14,18,19,20 AND 21.

(C) THE PROTOCOL RELATING TO THE STATUS OF REFUGEES, 1967 (19 U.S.T. 6223) (TO WHICH TURKEY IS A PARTY) PROHIBITS FORCEFUL REPATRIATION OF REFUGEES TO TERRITORY WHERE THEY ARE IN JEOPARDY.

(D) THE GENOCIDE CONVENTION OF 1948 (78 UNTS 277) (TO WHICH

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IRAQ, TURKEY AND IRAN ARE PARTIES) PROHIBITS INTENTIONAL MURDER OR CERTAIN DEGRADING ACTIONS AGAINST ETHNIC GROUPS.

4. SUCH REPORTING WILL ASSIST PREPARATION OF REPORTS AND RECOMMENDATIONS TO DEPUTY SECRETARY ABOUT HUMAN RIGHTS MATTERS, AS CONTEMPLATED IN DEPUTY SECRETARY'S LETTER OF JULY 28 TO CHAIRMAN MORGAN (REF A) AS WELL AS BE HELPFUL IN SEEING WHETHER THERE IS ANY USEFUL, HUMANITARIAN ROLE

FOR USG.

5. FOR ANKARA.DEPARTMENT INTEREST RE TURKEY FOCUSES ON TREATMT ANY POSSIBLE REFUGEES FROM IRAQ. (WE AWARE GOT HAS TURNED DOWN KURDISH REQUEST TO PERMIT LARGE NUMBERS TO TRANSIT TURKEY EN ROUTE IRAN).

6. EXHIBITS I (RECENT CONGRESSIONAL STATEMENTS AND IN-QUIRIES), II (SUBMISSIONS BY KURDISTAN DEMOCRATIC PARTY) AND III (RECENT NEWSCLIPS AND ARTICLES) ARE BEING SENT AIR POUCH, REGISTRY NOS. 1562007 (BAGHDAD), 1563072 (TEHRAN), 1563073 (ANKARA) AND 1563074 (GENEVA). KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TREATY COMPLIANCE, REFUGEE RELIEF, HUMAN RIGHTS, KURDS, EVACUATION PLANS
Control Number: n/a
Copy: SINGLE
Draft Date: 03 APR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: johnsorg
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE074981
Document Source: CORE
Document Unique ID: 00
Drafter: CRUNYON:BKHUFFMAN:RTG
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750115-0113
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750485/aaaaczix.tel
Line Count: 127
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 75 STATE A-1045, 75 BAGHDAD 341
Review Action: RELEASED, APPROVED
Review Authority: johnsorg
Review Comment: n/a
Review Content Flags:
Review Date: 18 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <18 JUN 2003 by BoyleJA>; APPROVED <10 NOV 2003 by johnsorg>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: UMAN RIGHTS REPORTING - KURDISH QUESTION KUWAIT POUCH BAGHDAD FOR ACTION
TAGS: SHUM, PFOR, IZ, IR, ICRC
To: ANKARA MULTIPLE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006